

**Representative Wayne A. Harper** proposes to substitute the following bill:

**TUITION WAIVERS FOR TEACHERS**

2001 GENERAL SESSION

STATE OF UTAH

**Sponsor: Wayne A. Harper**

**This act modifies provisions related to the State System of Public Education by granting tuition waivers to educators for courses taken at higher education institutions that satisfy professional development requirements for retaining a license to teach. The act takes effect July 1, 2001.**

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

**53A-6-104**, as last amended by Chapter 331, Laws of Utah 2000

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **53A-6-104** is amended to read:

**53A-6-104. Board licensure.**

(1) (a) The board may issue licenses for educators.

(b) (i) A person employed in a position that requires licensure by the board shall hold the appropriate license.

(ii) The board shall issue a letter of authorization permitting a person to be employed as a classroom teacher if requested by a local school board which has determined that:

(A) the person has outstanding professional qualifications; and

(B) employment of the person would permit the school district to better meet the educational goals of students.

(2) (a) The board may by rule rank, endorse, or otherwise classify licenses and establish the criteria for obtaining and retaining licenses.

(b) (i) The board shall make rules requiring participation in professional development



26 activities in order for educators to retain their licenses.

27 (ii) An educator who is enrolling in a course of study at an institution of higher education  
28 within the state system to satisfy the professional development requirements of Subsection (2)(b)(i)  
29 is exempt from tuition, except for a semester registration fee established by the State Board of  
30 Regents, if:

31 (A) the educator is enrolled on the basis of surplus space in the class after regularly  
32 enrolled students have been assigned and admitted to available classroom space in accordance with  
33 regular procedures and normal teaching loads in that space within the institution's approved  
34 budget; and

35 (B) enrollments are determined by each institution under rules and guidelines established  
36 by the State Board of Regents in accordance with findings of fact that space is available for the  
37 educator's enrollment.

38 (iii) (A) If space is not available to an educator under Subsection (2)(b)(ii), then the  
39 educator qualifies for a 50% waiver of tuition § ~~and fees~~ § charged by the institution for the  
39a course,  
40 except as otherwise provided in Subsection (2)(b)(iii)(B).

41 (B) An educator qualifies for a full waiver of tuition § ~~and fees~~ § under Subsection  
42 (2)(b)(iii)(A) if the educator is teaching in a targeted subject area.

43 (C) For purposes of Subsection (2)(b)(iii)(B), the board shall, by rule, define targeted  
44 subject area to include those areas for which it is difficult to recruit qualified educators or where  
45 there are shortages in personnel, such as special education, technology, math, and science.

46 (D) The State Board of Education may require an educator who receives a waiver under  
47 Subsections (2)(b)(ii) or (iii) to repay the tuition waived for the course if the educator:

48 (I) fails to obtain at least a "B" grade in the course; or

49 (II) does not teach in the state's public schools for at least three years after completing the  
50 course.

51 (E) The State Board of Education shall reimburse higher education institutions for waivers  
52 given under Subsection (2)(b)(iii) from the annual appropriation made by the Legislature to fund  
53 the program.

54 (3) Unless suspended or revoked by the board, or surrendered by the educator, a license  
55 is valid for the following period:

56 (a) a letter of authorization is valid for one year, or a shorter period as specified by the

57 board, subject to renewal by the board for a total of not more than four years of full-time  
58 equivalent employment;

59 (b) a level 1 license is valid for three years, subject to renewal by the board for a total of  
60 not more than six years;

61 (c) a level 2 license is valid for five years, subject to renewal by the board; and

62 (d) a level 3 license is valid for seven years, subject to renewal by the board.

63 **Section 2. Effective date.**

64 This act takes effect on July 1, 2001.